

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION**ENTERED**

February 08, 2021

Nathan Ochsner, Clerk

UNITED STATES OF AMERICA,

Plaintiff,

VS.

3.17 ACRES OF LAND, more or less, in
STARR COUNTY, TEXAS; and JUAN
MONTALVO; et al.,

Defendants.

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CIVIL ACTION NO. 7:08-cv-00177

ORDER

The Court now considers the “unopposed” joint motion to continue¹ filed by the United States and Defendants Noelia Montalvo Munoz and Sylvia M. Ramirez on February 5, 2021. Because the motion is unopposed, the Court considers it as soon as practicable.² The Court also considers the joint status report filed on February 5, 2021.³

In both the motion to continue and the status report, the parties request to continue the current conference for at least forty-five days in light of newly inaugurated President Biden’s January 20th proclamation “terminating the national emergency at the southern border” and “directing ‘a careful review of all resources appropriated or redirected to construct a southern border wall’ through the development of ‘a plan for the redirection of funds concerning the southern border wall.’”⁴ The parties’ further provide that Defendants are unable to make a final decision on the pending counteroffer from the United States in light of the proclamation.⁵ On these bases, the Court finds good cause for the parties’ request.

¹ Dkt. No. 163.

² LR7.2 (“Motions without opposition and their proposed orders must bear in their caption ‘unopposed.’ They will be considered as soon as it is practicable.”).

³ Dkt. No. 162.

⁴ Dkt. No. 162 at 2–3, ¶¶ 6–9 (quoting Pres. Proc. No. 10142, 86 Fed. Reg. 7225 (Jan. 20, 2021)); Dkt. No. 163 at 2–4, ¶¶ 7–14 (quoting Pres. Proc. No. 10142).

⁵ Dkt. No. 162 at 2–3, ¶ 6.

Accordingly, the Court **GRANTS** the parties' motion⁶ and **CONTINUES** the status conference previously scheduled for February 16th to **Tuesday, April 13, 2021, at 9:00 a.m.** The Court further **ORDERS** the parties to file status report no later than **April 2, 2021.**

IT IS SO ORDERED.

DONE at McAllen, Texas, this 8th day of February 2021.

A handwritten signature in black ink, appearing to read 'M. Alvarez', is written over a horizontal line.

Micaela Alvarez
United States District Judge

⁶ Dkt. No. 163.